

**FIRST AMENDMENT TO AGREEMENT  
PROVIDING FOR IMPLEMENTATION OF  
THE SANTA CLARA VALLEY URBAN RUNOFF  
POLLUTION PREVENTION PROGRAM**

THIS FIRST AMENDMENT TO AGREEMENT PROVIDING FOR IMPLEMENTATION OF THE SANTA CLARA VALLEY URBAN RUNOFF POLLUTION PREVENTION PROGRAM (the "Amendment") is entered into by and between the SANTA CLARA VALLEY WATER DISTRICT, a local public agency of the State of California ("District"); CITY OF CAMPBELL, a municipal corporation of the State of California; CITY OF CUPERTINO, a municipal corporation of the State of California; CITY OF LOS ALTOS, a municipal corporation of the State of California; TOWN OF LOS ALTOS HILLS, a municipal corporation of the State of California; TOWN OF LOS GATOS, a municipal corporation of the State of California; CITY OF MILPITAS, a municipal corporation of the State of California; CITY OF MONTE SERENO, a municipal corporation of the State of California; CITY OF MOUNTAIN VIEW, a municipal corporation of the State of California; CITY OF PALO ALTO, a municipal corporation of the State of California; CITY OF SAN JOSE, a municipal corporation of the State of California; CITY OF SANTA CLARA, a municipal corporation of the State of California; CITY OF SARATOGA, a municipal corporation of the State of California; and CITY OF SUNNYVALE, a municipal corporation of the State of California.

All of the above-mentioned entities are hereinafter collectively referred to as "Parties" or individually as "Party."

**RECITALS**

A. The Parties previously entered into that certain Agreement Providing For Implementation of the Santa Clara Valley Urban Runoff Pollution Prevention Program (the "Agreement" or "MOA") pursuant to which the Parties established certain terms and conditions relating to the implementation and oversight of the Santa Clara Valley Urban Runoff Pollution Prevention Program (the "Program"). A copy of the Agreement is attached hereto as Appendix A. Unless otherwise set forth herein, all terms shall have the meaning set forth in the Agreement;

B. The Agreement provided for a five year term, which, based on its execution, is currently set to conclude on or about March 10, 2005;

C. The Parties expect to utilize the Program to submit a reapplication for the NPDES Permit in early 2005 and to otherwise address a variety of matters related to assisting the Parties in effectuating compliance with the Permit after March 10, 2005;

D. The Parties therefore desire to extend the term of the MOA as set forth below;

E. Section 7.02 of the MOA provides that it may be amended by the unanimous written agreement of the Parties and that all Parties agree to bring any proposed amendments to their Council or Board, as applicable, within three (3) months following acceptance by the Management Committee; and

F. The Program's Management Committee accepted this Amendment for referral to the Parties' Councils and/or Boards at its meeting on October 21, 2004.

**NOW, THEREFORE, THE PARTIES HERETO FURTHER AGREE AS FOLLOWS:**

1. Extension of Term of Agreement. Section 6.02 of the Agreement is hereby amended as follows:

6.02.01 This Agreement shall continue in full force and effect on an ongoing basis and beyond its original termination date of March 10, 2005, unless otherwise terminated by the Parties in accordance with Section 6.03.

[remainder of page intentionally blank]

**IN WITNESS WHEREOF**, the Parties have executed this Amendment effective as of March 10, 2005.

***Santa Clara Valley Water District:*** By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

***County of Santa Clara:*** By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

***City of \_\_\_\_\_:*** By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

## **Appendix A**

Agreement Providing For Implementation  
of the Santa Clara Valley Urban Runoff  
Pollution Prevention Program  
as fully executed as of March 10, 2000